

State of Ohio
VS.Case Number B9400481AFF EDWARD MOOREJudge MORRIS / McHARRIS

MOTION FOR APPROVAL OF PAYMENT OF ASSIGNED COUNSEL FEES AND EXPENSES

The undersigned having been previously appointed for the defendant moves this Court for an order approving payment of fees and expenses as indicated on the attached itemized statement, pursuant to sections 2941.51 and 120.33 of the Revised Code.

As the assigned attorney of record for the defendant, I certify that I have received no compensation in connection with providing representation in this case other than that described in this application. I, or an attorney under my supervision, have performed all legal services itemized in this application. The amounts requested for legal fees and expenses are not duplicated on any other application for fees bearing this or any other case number.

As attorney of record, I was appointed on 1/92, 1994. The case terminated on 12/14, 1994. I am submitting this application on 12/23, 1994, within 90 days of case termination.

Respectfully submitted,

Signature

Name

type or print

Address

Cincinnati, Ohio

Soc Sec/Fed ID No.

ENTRY

The Court finds that counsel performed the legal services set forth on the attached itemized statement, and that the fees and expenses set forth on this statement are reasonable, and are in accordance with the resolution of the Board of County Commissioners of Hamilton County, Ohio, relating to the payment of assigned counsel. IT IS THEREFORE ORDERED that counsel fees and expenses be, and are hereby approved in the amount of \$_____. It is further ordered that said amount be, and hereby certified by the Court to the County Auditor for payment.

Judge (print or type)

Signature

CERTIFICATION

The County Auditor in executing this certification attests to the accuracy of the figures contained herein. A subsequent audit by the Ohio Public Defender Commission/and/or the Auditor of State which reveals unallowable or excessive costs may result in future adjustments against reimbursement or repayment of audit exceptions to the Ohio Public Defender Commission.

County Number: 31

Check Number _____

Date Issued _____

County Auditor (type or print)

Signature

APPLICATION

OFFENSE DESCRIPTION, CLASSIFICATION AND DISPOSITION
FOR EACH CHARGED OFFENSE

The charges were disposed of in the following manner:

1. ☒ Jury trial3. ☐ Dismissed☒ Found guilty☐ Found not guilty4. ☐ Plea☐ Hung jury☐ To indictment☐ Guilty of a lesser included offense☐ To a lesser offense2. ☐ Bench trial☐ Found guilty☐ Found not guilty☐ Misdemeanor ☐ Felony ☐ Aggravated Felony ☐ Gun Specification ☒ Death Penalty ☐ Other

OFFENSE	O.R.C. OR CITY CODE SECTION	DEGREE OF OFFENSE	DISPOSITION
1. AGGRAVATED	NC 290301	1st DEGREE	FOUND GUILTY, DEATH
2. MURDER			PCWATY
3.			
4.			
5.			
6.			

SENTENCE: INSTITUTION LUCKSVILLE Length/Suspend 1 Prob 0 yrsFINE/SUSPEND 1

OTHER

Have you or another attorney previously submitted a bill
for partial payment for this case or case number? ☐ Yes ☒ No

Amount paid \$ _____

Was the client in this case ordered to repay the court
for all or a portion of the cost of your services? ☐ Yes ☒ No

Amount ordered to pay \$ _____

How many motions were filed in this case? 70 MURKIN TO REVISION

[illegible]

15 MINS. = .25 HR. 30 MINS. = .50 HR., ETC.

BILL SUMMARY

LEGAL FEES: In-court hours 64.75 x In-court rate 30.00 = Total in-court 1942.50
Out-of-court hours 176.25 x Out-of-court rate 30.00 = Total out-of-court 5,302.50
Total legal fees 7,245.00

EXPENSES: Type of Expense FAX \$10.00 Amount \$10.00
COPYING CHARGES OF DEMANDS & SHARS
(SEE ATTACHED) 162.90
Total Expenses 172.90
Total legal fees and expenses 7,417.90

Attach Continuation Request for Payment form if necessary. PLEASE STAPLE TO THIS SHEET.

LEE EDWARD MOORE - COPY CHARGES

1. Copy of transcript, Jason T. Holmes trial
139 pages X .15 = \$20.85
2. 3 copies of statement of Jason T. Holmes
32 pages X .15 = \$14.40
3. 3 copies of statement of Lee E. Moore
24 pages X .15 = \$10.80
4. 3 copies of statement of Larry Kinley
32 pages X .15 = \$14.40
5. Copy of transcript of Jason T. Holmes trial
144 pages X .15 = \$21.60
6. Copy of jury instructions
39 pages X .15 = \$15.85
7. Copies of juror questionnaires
10 pages X 50 packets = 500 pages X .15 = \$75.00

CONTINUATION REQUEST FOR PAYMENT														
Date of Service	OUT OF COURT HOURS						IN COURT HOURS							
	1 INTERVIEWING	2 INVESTIGATION	3 RESEARCH & WRITING	4 NEGOTIATION & CONFERENCES	5 TRAVEL	6 OUT OF COURT OTHER	TOTAL	7 PRE-TRIAL HEARINGS	8 TRIAL	9 PLEA HEARING	10 DISPOSITIONAL HEARING	11 POST-TRIAL HEARING	12 IN COURT OTHER	TOTAL
1/26/94	5			1			6							
1/27/94	4						4							
1/28/94	.5						.5							
1/31/94			2				2	1						1
2/2/94			.25				.25							
2/3/94			.25				.25							
2/4/94			5.5				5.5							
2/7/94	.5		.5				1							
2/9/94			.25				.25							
2/14/94	.5		4.5				5							
2/16/94			7				7							
2/17/94						2	2							
2/18/94			3.75				3.75	1						1
2/21/94		10					10							
2/24/94			.25				.25							
3/7/94	2						2							
3/9/94	3						3							
3/11/94	.5						.5							
3/16/94	3		3.5				6.5							
3/17/94	1.5						1.5							
3/29/94			1.25				1.25							
3/31/94			.25				.25							
4/15/94			5.5				5.5							
5/4/94			6.5				6.5							
5/5/94												5.25		5.25
5/6/94												5		5
5/15/94								8						8
5/25/94			.25				.25							
TOTAL HOURS							15.00							20.25
	1	2	3	4	5	6	TOTAL HRS: OUT	7	8	9	10	11	12	TOTAL HRS: IN

15 MINS. = .25 HR. 30 MINS. = .50 HR. ETC.

Attach Continuation Request for Payment form if necessary.

CONTINUATION REQUEST FOR PAYMENT															
Date of Service	OUT OF COURT HOURS							IN COURT HOURS							
	1 INTERVIEWING	2 INVESTIGATION	3 RESEARCH & WRITING	4 NEGOTIATION & CONFERENCES	5 TRAVEL	6 OUT OF COURT OTHER	TOTAL	7 PRE-TRIAL HEARINGS	8 TRIAL	9 PLEA HEARING	10 DISPOSITIONAL HEARING	11 POST-TRIAL HEARING	12 IN COURT OTHER	TOTAL	
11/18/94			10				10								
11/19/94			8				8								
11/20/94			6.5				6.5								
11/21/94								8.5						8.5	
12/7/94			1				1								
12/14/94	2						2								
TOTAL HOURS							176.75							64.75	

15 MINS. = .25 HR. 30 MINS. = .50 HR. ETC.

Attach Continuation Request for Payment form if necessary.

DEARDORFF & HAAS
 2368 Victory Parkway, Suite 300
 Cincinnati, Ohio 45206

Lee Edward Moore
 1101 Clearbrook Drive
 Cincinnati OH 45229

Page: 1
 12/21/94
 Account No: 748-00N
 Statement No: 1

Criminal

Interim Statement

	Hours	
01/26/94		
TJD Meeting w/client at county jail.	5.00	150.00
TJD Meeting w/Prosecutor, picking up documents	1.00	30.00
01/27/94		
TJD Meeting w/family	4.00	120.00
01/28/94		
TJD Telephone call w/family	.50	15.00
01/31/94		
TJD Attending arraignment	1.00	30.00
TJD Review indictment, statute as to spec's	2.00	60.00
02/02/94		
TJD Review of correspondence from Stidham	.25	7.50
02/03/94		
TJD Review of correspondence from Dan James	.25	7.50
02/04/94		
TJD Letter from Dan James, letter to Dan James	.50	15.00
TJD Review of motions filed in Bies Case applicable to Moore case	5.00	150.00
02/07/94		
TJD Telephone call w/Bev Parker	.50	15.00
TJD Preparation of correspondence to Dan James	.50	15.00
02/09/94		
TJD Review of correspondence from Dan James	.25	7.50

008421

Lee Edward Moore

Page: 2

12/21/94

Account No: 748-00N

Statement No: 1

Criminal

	Hours	
02/14/94		
TJD Telephone call w/Bev Parker	.50	15.00
TJD Drafting Motions	4.50	135.00
02/16/94		
TJD Drafting and research venue motion, Bill of Particulars Motion, Discovery Request, Notice Request under OR CR p.12(D)(2), Disclosure of Favorable Evidence	7.00	210.00
02/17/94		
TJD Filed Motion for Bill of Particulars	1.00	30.00
TJD Filed Request for Discovery	1.00	30.00
02/18/94		
TJD Preparation of discovery pleadings, attending pre-trial	3.50	105.00
TJD Court appearance	1.00	30.00
TJD Review of correspondence from Dan James	.25	7.50
02/21/94		
TJD Review of discovery	5.00	150.00
TJD Reviewing discovery	5.00	150.00
02/24/94		
TJD Letter to Lee Moore, Sr.	.25	7.50
03/07/94		
TJD Conference w/Beverly Parker	2.00	60.00
03/09/94		
TJD Meeting w/client at jail	3.00	90.00
03/11/94		
TJD Phone conference w/Bev Parker	.50	15.00
03/16/94		
TJD Interview in jail, review of statute	3.00	90.00
TJD Meeting and research	3.50	105.00
03/17/94		
TJD Conference w/client's mother and father	1.50	45.00

008422

Lee Edward Moore

Page: 3

12/21/94

Account No: 748-00N

Statement No: 1

Criminal

	Hours	
03/29/94		
TJD Letter, phone conference with Chuck Stidham re: mitigation	1.25	37.50
03/31/94		
TJD Letter to Dan James	.25	7.50
04/15/94		
TJD Research on Motion to Suppress	5.50	165.00
05/04/94		
TJD Preparation for Motion to Suppress	6.50	195.00
05/05/94		
TJD Attended Jason Holmes' trial	5.25	157.50
05/06/94		
TJD Attended Jason Holmes' trial	5.00	150.00
05/15/94		
TJD Motion to Suppress Hearing	8.00	240.00
05/25/94		
TJD Review of correspondence from Dan James	.25	7.50
05/26/94		
TJD Phone conference w/Dan James, prepared motions for Dan James, Motion to Submit Juror Questionnaire, prepared juror questionnaire	5.50	165.00
06/01/94		
TJD Letter to Dan James	.25	7.50
06/03/94		
TJD Review of correspondence from Dan James	.25	7.50
06/06/94		
TJD Review of correspondence, letter from Dan James as to trial date	.50	15.00

008123

Lee Edward Moore

Page: 4
 12/21/94
 Account No: 748-00N
 Statement No: 1

Criminal

	Hours	
06/15/94		
TJD Letter to Dan James	.50	15.00
07/18/94		
TJD Preparation for trial, review of mitigation cases	7.00	210.00
07/19/94		
TJD Preparation for trial, review of mitigation cases	6.50	195.00
08/03/94		
CH Telephone call w/Dan James	.25	7.50
08/04/94		
CH Prepared and filed continuance Motion	1.50	45.00
08/05/94		
TJD Review of correspondence from client	.25	7.50
08/10/94		
TJD Appearance in court	1.50	45.00
CH Telephone call w/impound lot	.50	15.00
08/12/94		
TJD Letter to Dan James	.25	7.50
08/23/94		
TJD Review of correspondence from Dan James	.25	7.50
08/24/94		
TJD Review of file, review of correspondence from Dan James	1.25	37.50
08/29/94		
TJD Review of Motion from Piepmeier as to deposition	.75	22.50
09/08/94		
TJD Review depo. of coroner, phone conference w/Dan James	3.25	97.50
10/25/94		
TJD Review of file for meeting with Dr. Chiappone, meeting with Dr. Chiappone and Dan James	3.75	112.50

008424

Lee Edward Moore

Page: 5

12/21/94

Account No: 748-00N

Statement No: 1

Criminal

	Hours	
11/01/94		
TJD Pretrial, phone conference w/ Dr. Cooper	1.50	45.00
11/02/94		
TJD Review of Motion and Entry appointing Dr. Chiappone	.25	7.50
TJD Review of correspondence from Dan James	.25	7.50
11/04/94		
TJD Preparation for trial, review of file at courthouse	6.50	195.00
11/07/94		
TJD Phone conference w/ jury commissioner, phone conference w/ Dan James, review of file, trial preparation	3.25	97.50
11/08/94		
TJD Preparation for trial, review of Prosecutor witness testimony in Homles trial	8.25	247.50
11/09/94		
CH Research jury issues	2.50	75.00
CH Research jury issues	1.75	52.50
TJD Trial - jury selection	8.00	240.00
11/13/94		
TJD Trial preparation, review of transcripts of Holmes and Kinley trial	7.50	225.00
11/14/94		
TJD Trial	8.50	255.00
11/15/94		
TJD Trial	8.50	255.00
11/16/94		
TJD Phone conference w/Dan James as to Motions to Jury, review of same	1.25	37.50
11/17/94		
TJD Trial - awaiting jury verdict	8.00	240.00

008.125

Lee Edward Moore

Page: 6

12/21/94

Account No: 748-00N

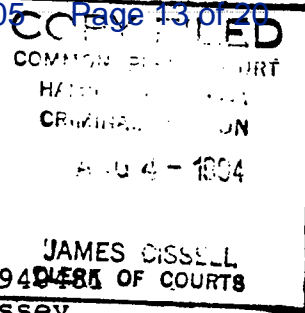
Statement No: 1

Criminal

	Hours	
TJD Mitigation preparation	10.25	307.50
11/18/94		
TJD Mitigation preparation	10.00	300.00
11/19/94		
TJD Mitigation preparation, view of scene	8.00	240.00
11/20/94		
TJD Mitigation preparation	6.50	195.00
11/21/94		
TJD Trial	8.50	255.00
12/07/94		
TJD Review of statute as to Motion for New Trial, phone conference w/Mr. Moore, testimony of Dr. Chiappone	1.00	30.00
12/14/94		
TJD Meeting w/family, sentencing hearing	2.00	60.00
	-----	-----
For Current Services Rendered	241.50	7245.00
02/18/94 Fax - outgoing		10.00

Total Expenses		10.00
Total Current Work		7255.00
Balance Due		\$7,255.00
		=====

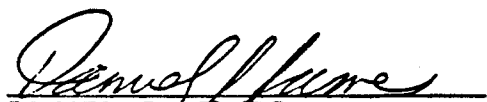
COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

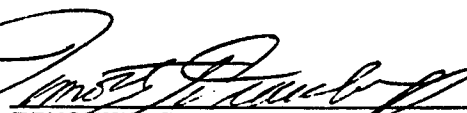


STATE OF OHIO, : Case No. E-940481 OF COURTS
Plaintiff, : Judge Morrissey
v. : REQUEST FOR CONTINUANCE
LEE EDWARD MOORE, :
Defendant. :

Now comes the Defendant, by and through counsel, and respectfully requests that this Court grant him a continuance for the trial presently scheduled to begin on August 29, 1994. The mitigation expert appointed by the Court for the Defendant has not had adequate time to interview the Defendant and prepare for the mitigation phase of the trial. This expert's testimony could determine whether the Defendant is sentenced to death.

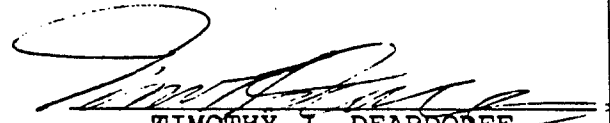
Respectfully submitted,


DANIEL J. JAMES
Lead counsel for Defendant
Supreme Court No. 0008067
30 East Central Parkway
Cincinnati, Ohio 45202
(513) 721-1995


TIMOTHY J. DEARDORFF
Co-counsel for Defendant
Supreme Court No. 0001848
169 E. McMillan Street
Cincinnati, Ohio 45219
(513) 241-4030

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Bill of Particulars was served upon Joseph Deters, Prosecuting Attorney, 1000 Main Street, Cincinnati, OH 45202 on the same day the motion was filed.



TIMOTHY J. DEARDORFF

DEARDORFF & HAAS
Attorneys At Law
2368 Victory Parkway
Suite 300
Cincinnati, Ohio 45206
(513) 872-7900
Fax: (513) 281-6760

008128

HAMILTON COUNTY
COURT OF COMMON PLEAS
CRIMINAL DIVISION

STATE OF OHIO

CASE No. B- 9400481

Plaintiff

vs.

Lee MooreENTRY OF CONTINUANCE

Defendant

This matter is hereby continued:

____ (At the request of the State)

X

(At the request of the defendant)

____ (By agreement of counsel for the
State and counsel for the
defendant)

____ (On the Court's Order)

and with the Court's consent

from the 18 day of February, 1994to the 26 day of July, 1994 at 090 .M.

for the purpose of:

____ (DSC)

____ (Sentencing)

____ (Plea or Trial Setting)

X (Motions) ~~FROM THE COURT~~X (Trial)

____ (Probation Violation)

for the reason that trial preparation required.
Defendant expressly waives time during this
continuance.

Mark E. Lepner
 Assistant Prosecuting Attorney
 P280

Daniel J. [Signature]
 Attorney for Defendant
 J074

X Lee E. Moore Jr.
 Defendant

[Signature]
 0-211 6067
 44-0006308

008129

STATE OF OHIO

Plaintiff

-vs-

Lee Moore

Defendant

CASE NO.

B9400481

ENTRY OF CONTINUANCE

This matter is hereby continued:

(At the request of the State)

☒

(At the request of the Defendant)

☐

(At the request of counsel for the
State and counsel for the defendant)

☐

(On the Court's Order).

and with the court's consent to the 18th day of Feb, 1994
at 11-00 A.M., for the purpose of:

☐ DSC

☐ Competency Hearing

☐ Motion to Suppress

☐ Plea

☐ Trial

☒

Other pretrial

Reason: Defendant waives time - needs to
review discovery

Mark S. Reymann
Assistant Prosecuting Attorney

V. Lee E. Thomas Jr
Defendant

Daniel Brown 5074
Attorney for Defendant 5067

[Signature] 0006 (Check appropriate blanks above)
[Signature]

Judge

008430

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

STATE OF OHIO, : Case No. B-240481
 : Judge Morrissey
 Plaintiff, :
 : MOTION FOR CHANGE OF
 v. : VENUE
 :
 LEE EDWARD MOORE, :
 :
 Defendant. :

Now comes the Defendant, by and through counsel, and respectfully moves this Court to order a change of venue in the above captioned case, as allowed by Criminal Rule 18, for the reason that a fair trial cannot be obtained in Hamilton County, nor in any of the counties in the Cincinnati metropolitan area. The Defendant requests that the trial of the Defendant be transferred to a jurisdiction outside of the southwestern Ohio area.

The Defendant respectfully requests an oral hearing for the determination of this issue.

Respectfully submitted,

DANIEL J. JAMES
Lead counsel for Defendant
Supreme Court No. 0008067
30 East Central Parkway
Cincinnati, Ohio 45202
(513) 721-1995

TIMOTHY J. DEARDORFF
Co-counsel for Defendant
Supreme Court No. 0001848
169 E. McMillan Street
Cincinnati, Ohio 45219
(513) 241-4030

COPY FILED
COMMON PLEAS COURT
HAMILTON COUNTY
CRIMINAL DIVISION

THE STATE OF OHIO, HAMILTON COUNTY AUG 29 1994
COURT OF COMMON PLEAS
CRIMINAL DIVISION
JAMES CISELL
CLERK OF COURTS

STATE OF OHIO : NO. B9400481
Plaintiff : (Judge Morrissey)
vs. : MOTION TO TAKE DEPOSITION OF
LEE MOORE : DR. ELLIOT GROSS UNDER
Defendant : CRIMINAL RULE 15

The State of Ohio, by its Assistant Prosecuting Attorney, Mark E. Piepmeier, states that Dr. Elliot Gross is a necessary and material witness and will be unable to attend the trial or hearing set to commence on November 7, 1994 at 9:00 A.M. and that the interests of justice require that said witness' testimony be taken by deposition.

WHEREFORE, the undersigned requests an Order of the Court that the deposition of Dr. Elliot Gross be taken at Hamilton County Courthouse on September 8, 1994 at 1:00 P.M. and that said witness be required to produce any and all necessary and relevant documents, papers or tangible objects, and that the costs of the proceedings be taxed as costs.

Mark E. Piepmeier
Mark E. Piepmeier, 0006894P
Chief Assistant Prosecuting Attorney

008432

MEMORANDUM:

Rule 15, Ohio Rules of Criminal Procedure
Rule 20(E), Rules of Hamilton County Common Pleas

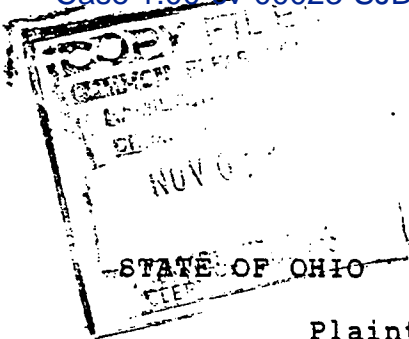
Mark E. Piepmeier
Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney
914 Main Street
Cincinnati, Ohio 45202
513/632-8534

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon each party or attorney of record in the proceedings for each party by ordinary U.S. mail on the 26 day of August, 1994.

Mark E. Piepmeier
Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney

008433



COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

Plaintiff

vs.

LEE MOORE

Defendant

Case No. B9400481
Judge Ruehlman

MOTION TO REASSIGN
TRIAL JUDGE PURSUANT
TO LOCAL RULE (7) OF
THE HAMILTON COUNTY
COMMON PLEAS LOCAL RULES

Comes now the Defendant, Lee Moore, by and through his attorneys, and requests this Court pursuant to Local Rule 7 to refer this case to the office of the Common Pleas Court Administrator for reassignment "by lot" as required by the Local Rules of the Hamilton County Court of Common Pleas.

Respectfully submitted,

Daniel J. James #0008067
Attorney for Defendant
30 E. Central Pkwy.
13th Flr.
Cincinnati, OH 45202
513-721-1995

and

Timothy J. Deardorff #0006308
Attorney for Defendant
2368 Victory Parkway
Suite 300
Cincinnati, Ohio 45206
513-872-7900

008434